

A M E N D E D R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

~~\*[WHEREAS, in consideration of evidence presented at a public hearing on May 21, 2009 regarding Detailed Site Plan DSP-05114 for Avondale Overlook at Queens Chapel, the Planning Board finds:]~~

\*WHEREAS, DSP-05114 for Avondale Overlook at Queens Chapel Road was approved by the Planning Board on May 21, 2009, and PGCPB Resolution No. 09-81 was adopted on July 9, 2009; and

\*WHEREAS, on June 20, 2009, the District Council elected to review this case; and

\*WHEREAS, on November 16, 2009, the District Council voted to remand the case to the Planning Board in accordance with Section 27-290 of the Zoning Ordinance in order to allow the municipalities to comment on this DSP, and the staff to investigate the use of the subject site and surrounding properties, and other matters; and

\*WHEREAS, in consideration of evidence presented at a second public hearing on June 17, 2010 regarding DSP-05114 for Avondale Overlook at Queens Chapel Road, the Planning Board made the following amended findings:

1. **Request:** The subject application is for approval of 244 additional multifamily residential units to an existing multifamily development in the **\*Multifamily High Density Residential (R-10) Zone.**

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	R-10	R-10
Use(s)	Residential (Multifamily)	Residential (Multifamily)
Total acreage	10.23	10.23
Of which Lot 1 (Proposed development)	6.38	6.38
Lot 2 (Existing development)	3.85	3.85
Total number of units	247	491(Addition of 244)
Number of lots	2	2

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**OTHER DEVELOPMENT DATA**

	<b>REQUIRED</b>	<b>APPROVED</b>
Total Parking Spaces	670	718
Existing parking spaces provided on Lot 2	308	250
Parking spaces to remain on Lot 2		148
Parking spaces reconfigured on Lot 2		102
Parking spaces on Lot 1	362	
Of which 1 BR & Studio 1.33 x		
* <del>[144]</del> <u>142</u>	* <del>[188]</del> <u>189</u>	-
2 BR 1.66 x * <del>[97]</del> <u>96</u>	* <del>[161]</del> <u>160</u>	-
3 BR 1.99 x 6	12	-
Parking spaces in garage on Lot 1	-	465
Surface parking spaces on Lot 1	-	3
Of which Handicapped Parking	14	17
Total Loading Spaces	1	1

**Bedroom Unit Mix**

<b>Unit Type</b>	<b>Number of Units</b>	<b>Average Square Footage</b>
Studio	19	518
1 Bedrooms	* <del>[122]</del> <u>123</u>	735
2 Bedrooms	* <del>[97]</del> <u>96</u>	1,090
3 Bedrooms	6	1,330

**Bedroom Percentage**

<b>Unit Type</b>	<b>Approved Percentage</b>	<b>Maximum Percentage Per Section 27-419</b>
Studio & 1 Bedroom	* <del>[57.8]</del> <u>58.2</u>	(no maximum)
2 Bedrooms	* <del>[39.7]</del> <u>39.3</u>	40
3 Bedrooms	2.5	10

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**Bedroom Percentage in the existing development  
(a total of 247 dwelling units)**

<b>Unit Type</b>	<b>Existing Percentage</b>
1 Bedroom	31
2 Bedrooms	60
3 Bedrooms	9

3. **Location:** The subject property is located on the north side of Queens Chapel Road (MD 500), approximately 100 feet east of its intersection with Russell Avenue, and approximately 1,450 feet east of the boundary line of the District of Columbia, in Planning Area \*68, and Council District 2.
4. **Surrounding Uses:** The subject site is part of a larger property, which is currently developed with a 247-unit multifamily building. The Lot 1 portion of the subject site remains undeveloped. The site is bounded to the south by the right-of-way of Queens Chapel Road, and across Queens Chapel Road further south are existing single-family houses in the R-55 (One-Family Detached Residential) Zone; to the west by existing single-family houses in the R-55 Zone; to the east by the other developed lot, Lot 2, of the Avondale Overlook at Queens Chapel Road; and to the south by a public park in the R-55 Zone.
5. **Previous Approvals:** The subject site was originally zoned R-10 and has been retained in the R-10 Zone ever since. The \*eastern part of the site was developed as a multifamily apartment project. The portion (approximately 3.85 acres) of the larger site known as Beech Tree Apartments was the subject of Special Exception SE-1353, which was approved by the District Council on June 17, 1966 for the purpose of operating a beauty shop. The portion of the site where the proposed development is located has never been developed. The subject property was designated as one of the County's revitalization tax credit districts in 2005 (via County Council Bill CB-43-2005). On September 23, 2004, the Planning Board approved Preliminary Plan of Subdivision 4-04071 to subdivide the larger site into two lots. \* The Planning Board approved Detailed Site Plan DSP-05114 (via PGCPB Resolution No. 09-81) for this site for the addition of 244 multifamily dwelling units to the existing multifamily development, with associated parking and site improvements, on May 21, 2009. On July 20, 2009, the District Council elected to review this case. On November 16, 2009, the District Council voted to remand the case to the Planning Board in accordance with Section 27-290 of the Zoning Ordinance to consider additional issues, such as the architectural design of the western elevation and noise issues related to the operation of the proposed parking garage. The site also has an updated Stormwater Management Concept Approval, 22712-2003-00, which is valid through November 19, 2011.
6. **Design Features:** The portion of the site where the proposed development will be located has a trapezoidal shape; a short side fronting Queens Chapel Road (MD 500) provides access to the site. The access point off Queens Chapel Road is also shared with Lot 2, which is an existing site

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with 247 multifamily apartment units. There is another access point off Queens Chapel Road to Lot 2. The two access points are connected via a parking lot in front of the side of the existing multifamily building.

Two four-story buildings and a ~~\*[5½]~~ 6½-story parking structure have been proposed on the site. The south building has a building height of approximately 61 feet and the north building has a height of approximately 54 feet ~~\*[without factoring grade change]~~. The parking structure is designed to be integrated with the north building. The parking structure has a building height of approximately ~~\*[64]~~ 72 feet. The south building has an U-shaped footprint with a half-enclosed courtyard oriented toward the existing multifamily building on Lot 2. The north building has a larger and more irregular footprint with a fully enclosed courtyard where outdoor landscape features such as a pavilion and trellises are located. A driveway is located between the south and north buildings that provides access to the parking structure and loading space at the rear of the south building. ~~\*An average 32 [47.8]-foot-wide landscape bufferyard has been shown along the western property line.~~ A private ~~\*proposed~~ street, Street A, separates the proposed development on Lot 1 from the existing development on Lot 2.

The two residential buildings are four stories with hip ~~\*roofs~~, and the parking garage is a flat-roof building with three to ~~\*[five]~~ six stories due to the change in topography. The two residential buildings feature a long horizontal expanse with tower elements vertically dividing the elevations. The elevations are designed in a clear three-part composition and are finished with concrete masonry units (CMU), brick, and Hardie Plank siding (a type of cement fiber board). The base portion is finished with CMU, the middle portion is finished with a combination of brick and Hardie Plank, and the top is the large roof section with architectural shingles. The brick finish on the towers varies on each elevation. The parking garage is a concrete slab building with a green screen proposed on the higher portion of the west elevation where the existing single-family houses are located. The west elevation also has four additional towers that further break up the horizontal dominance of the elevation.

~~\*The Order of Remand requires that the western elevation, which is the side facing the existing single-family houses in the Avondale neighborhood, be redesigned to reflect the more articulated appearance of the preliminary design (Perspective B) presented to the community during the early outreach stage of this project. The redesigned western elevation features additional tower elements on both ends of the two residential buildings and the garage corner that is adjacent to the southern building. The roof line of the southern residential building has also been broken into three separate sections. In addition, more brick has been provided on both the western and southern elevations to meet the minimum 75 percent requirement outlined in the Order of Remand. The lower portion of the parking garage on the western elevation is enclosed in order to minimize the possible noise and light spillover from the garage that may negatively impact the adjacent existing single-family houses. \*However, no detailed information regarding expected noise and lighting levels has been provided with this DSP. Since the noise emanating from the~~

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garage in the course of its normal operation is not regulated by the Zoning Ordinance, the submitted noise study only focuses on the traffic from Queens Chapel Road.] The Order of Remand specifically asks for a study of the noise generated from activities associated with the normal operation of the proposed parking structure. The applicant submitted a study using a built garage in another jurisdiction that is similar to the proposed one. The study concludes that the noise level generated from the operation of the proposed garage will not exceed 65 dBA Ldn as prescribed in the Remand Order. Regarding the lighting issue, the applicant has agreed to provide a ~~\*[photometric study]~~ foot-candle to make sure that the ~~\*[foot-candle]~~ reading at the property line will be reduced to zero. \*A photometric plan showing the foot-candle reading contour lines has been provided with this application. The plan shows that the reading at the property line is zero.

One gateway sign was introduced by the applicant at time of the public hearing for this case on May 21, 2009 with a total sign face area of 12 square feet that is consistent with Section 27-624 of the Zoning Ordinance.

7. **Recreational facilities:** In accordance with the current formula for determining the value of recreational facilities to be provided in subdivisions, for 244 multifamily dwelling units in Planning Area 68, a recreational facility package of approximately \$222,519.00 is required. The subject DSP includes a recreational facility package consisting of the following items:

- a. Fitness Room Equipment:
  - (1) Stationary bicycles
  - (2) Treadmills
  - (3) Ellipticals
  - (4) Dumbbells
  - (5) Multi-use machine
- b. Pool with sundeck furniture
- c. Outdoor Picnic Area/Tot lot

According to the applicant, the total estimated cost for the above facilities is calculated at \$225,000.00, which is consistent with the required recreational facility value for this site.

8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-10 Zone, Section 27-445.10, Residential Revitalization, and the site design guidelines of the Zoning Ordinance.

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- a. The subject application is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs uses in residential zones. The proposed multifamily residential dwelling units are a permitted use in the R-10 Zone.
- b. This DSP is proposed in accordance with the regulations of Section 27-445.10, Residential Revitalization, for the purpose of adding additional dwelling units to the existing multifamily development with associated site improvements. Section 27-445.10 has the following requirements:

**(a) Applicability.**

- (1) Residential Revitalization, as defined in this Subtitle and permitted in the Table of Uses in Part 5, shall be limited to any form of existing multifamily or attached one-family dwelling units that are located in a Revitalization Tax Credit District.**
- (2) This section is not applicable to any property not currently developed with existing attached or multifamily dwelling units.**

The DSP proposes the addition of 244 dwelling units to the existing development, which is an existing multifamily project located in an existing Revitalization Tax Credit District.

**(b) Requirements.**

- (1) Existing dwelling units as described in (a)(1) of this Section may be replaced by proposed multifamily, attached one-family or detached one-family dwelling units in a Residential Revitalization project.**
- (2) The existing dwelling units as described in (b)(1) above shall have a minimum density of twelve (12) units per acre of the net lot or tract area.**

The application is for the addition of 244 new dwelling units to complement the existing multifamily development. The gross density of the existing development is 23 dwelling units per acre. With the addition of 244 new dwelling units, the gross density of the development will be approximately 48 dwelling units per acre.

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- (3) **The number, location, and design of compact and standard parking spaces shown on the approved Detailed Site Plan shall constitute the parking design regulations for the development.**

The DSP provides a total of 718 parking spaces on the site, which is 48 parking spaces more than required. A total of 465 parking spaces will be located within the proposed parking garage.

- (4) **Regulations concerning the height of structures, lot size and coverage, frontage, setbacks, density, bedroom percentages and other requirements of the specific zone do not apply to uses and structures in a Residential Revitalization project. The dimensions and percentages shown on the approved Detailed Site Plan shall constitute the development regulations.**

The proposed development conforms to most of the underlying zoning regulations as provided in Finding 8(c) below.

- (5) **The normal parking requirement shall be reduced by thirty percent (30%). An additional reduction may be allowed upon a determination that:**

- (A) **An additional reduction is necessary to alleviate conditions that are particular to the proposed use, given its nature at this location, or to alleviate conditions which are prevalent in older areas of the County which were predominately developed prior to November 29, 1949; and**
- (B) **The additional reduction will not infringe upon the parking and loading needs of adjacent residential areas.**

No additional reduction of parking spaces has been requested with this DSP.

- (6) **The project shall comply with the requirements of the Landscape Manual to the extent that is practical.**

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See Finding 10 below for a detailed discussion on the DSP's compliance with the Landscape Manual.

(c) **Findings.**

**In approving a Residential Revitalization project, the Planning Board shall find that the project:**

- (1) **Improves a deteriorated or obsolete multifamily or attached one-family dwelling unit development by replacing or rehabilitating dwellings, improving structures, or renovating and improving other facilities;**

The DSP proposes to add 244 new multifamily dwelling units to the existing multifamily project with additional on-site recreational facilities and amenities.

- (2) **Maintains or improves the architectural character of the buildings so that they are compatible with surrounding properties;**

This proposed addition consists of two four-story multifamily buildings and a ~~\*[5½]~~ 6½-story parking garage in the middle to serve both buildings. Compared to the existing 12-story multifamily building with a height of 104 feet, the proposed \*residential buildings \*and garage, which are ~~\*[60.5, 64, and 73.5]~~ 54, 60.5, and 70 feet in height, respectively, are scaled down in height and are more compatible with the surrounding properties than the existing building. However, the architectural character of the parking garage is not at all compatible with the surrounding residential properties. In Finding 9 below, the Planning Board approved staff's recommended modifications to the parking garage to improve its appearance and enhance its compatibility with the neighborhood. \*The Order of Remand has specific design requirements for the western elevation of the parking garage that faces the existing single-family detached houses. A new tower has been added to the corner of the garage that is connected to the southern residential building through a pedestrian bridge. A modular elevation element with green screen has been repeated three times on the western elevation, and that element further encloses the garage. A staggered height at the top of the garage structure has been achieved.

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**(3) Serves a need for housing in the neighborhood or community;**

This application will serve a housing need in the neighborhood as additional new units are added to the existing housing stock.

**(4) Benefits project residents and property owners in the neighborhood;**

The proposed development will be a benefit to the project residents by providing additional housing units along with recreational facilities and amenities on the site. The developer will also provide a financial incentive to the future residents to ride Metro in order to reduce the usage of automobiles. ~~\*[The developer has proffered to allow members of the Avondale/Northridge Citizens' Association to access to the on-site business/conference room for their monthly homeowners' meetings.]~~

The Remand Order requires that a definitive plan for a pilot program for farecards for the Metro System be included in this submittal. The applicant meets this requirement by providing a defined program. See Finding 13 below for a detailed discussion of this program. For the property owners in the neighborhood, especially for the residents on Russell Avenue, the developer has made arrangements as a proffer to allow them access to the amenities and recreational facilities on the subject site including utilizing the club room for homeowners' meetings.

In addition, the developer will offer, as a service to the homeowners on Russell Avenue whose lots are adjacent to the development site, to put in additional landscaping in their rear yards, if they desire. This service includes hiring a landscape consultant to prepare a landscape design for each owner, and a landscape contractor to install the plant materials in the rear yards of the lots.

**(5) Conforms with the housing goals and priorities as described in the current "Housing and Community Development Consolidated Plan," for Prince George's County; and**

According to the applicant, the development team has been working with the County to implement this residential revitalization project. This DSP application conforms to the housing goals and priorities as described in the current "Housing and Community Development Consolidated Plan."

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**(6) Conforms to either specific land use recommendations or principles and guidelines for residential development within the applicable Master Plan.**

According to a review by the Community Planning North Division (O'Connor to Zhang, March 6, 2009), the application conforms to the multifamily residential land use recommendation in the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68*.

- c. The subject application also complies with most of the regulations in the R-10 Zone as follows:

	<b>Required</b>	<b>Provided(Lot 1)</b>
Net Lot Area (Minimum in square feet)	20,000	277,982
Lot Coverage (Percentage)	50	52.1
Green Area Minimum Percentage of Net Lot Area	50	47.9
Lot/Width Frontage (Minimum in feet)		
At front building line	150	229.04
At front street line (existing or proposed)	150	229.04
Yards (Minimum Depth/Width in Feet)		
Front	48	45
Side	48/28	* <del>94.8/46</del> <u>79/32</u> Varies (min. <u>*[94']</u> )
Rear	48	<u>93'</u>
Building Height (Maximum in Feet, Main Building)	110	Varies (below 75')
Density (Maximum Dwelling Units Per Net Acre of Net Lot/Tract Area)	48	48

According to Section 27-445.10(b)(4), the dimensions and percentages shown on the approved detailed site plan shall constitute the development regulations. As such, no variance from the R-10 regulations is required because the DSP is a residential revitalization project.

- d. Section 27-419 of the Zoning Ordinance, Bedroom percentages, requires that the maximum percentage for two-bedroom apartments is 40 percent and 10 percent for

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three-bedroom apartments. Unused percentages for three or more bedroom apartment units may be added to the maximum allowed percentages for two bedroom apartment units. As shown in Finding 2 above, the proposed bedroom percentage mix is consistent with the requirements of Section 27-419.

- e. The DSP shows a site layout that is consistent with the R-10 regulations as modified by Section 27-445.10, Residential Revitalization. The DSP is also in conformance with the applicable site design guidelines.
9. **Preliminary Plan of Subdivision 4-04071:** Preliminary Plan of Subdivision 4-04071 for the two lots was approved by the Planning Board on September 23, 2004, subject to nine conditions. The proposed development in the subject application is on Lot 2. Six conditions attached to the approval of 4-04071 are applicable to the review of this DSP as follows:

**2. A Type II tree conservation plan shall be approved with the detailed site plan.**

A Type II Tree Conservation Plan, TCPII/124/06, has been submitted with the subject DSP. A review by the Environmental Planning Section (Shoulars to Zhang, April 22, 2009) recommends approval with eight conditions. Type II Tree Conservation Plan TCPII/124/06 has been approved by the Planning Board along with the DSP.

**3. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan, 22712-2003-00, and any subsequent revisions and approvals.**

Stormwater Management Concept Approval 22712-2003-00 has been updated and is valid through November 19, 2011.

**6. At the time of review of the DSP, the applicant shall submit a certification, by a professional engineer with competency in acoustical analysis, that new residential development building shells within prescribed noise corridors have been designed to reduce interior noise levels to 45dBA (Ldn) or less.**

A Phase I noise study was submitted with the preliminary plan. Based on projected traffic (average daily traffic or ADT projected ten years) data supplied by the State of Maryland, the Environmental Planning Section's noise model projected that the 65 dBA Ldn noise contour is located approximately 168 feet from the centerline of the roadway. The noise study was considered adequate and consistent with the Environmental Planning Section's noise model projection, as was shown on the preliminary plan submittals. A revised

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acoustical analysis prepared by Wyle Laboratories dated April 7, 2009 was received with this DSP for review. The analysis includes noise measurements that were calculated in a previous noise study. The measurements were used to determine the location of the 65 and 70 dBA Ldn contours in 2007 and 2030. The locations of the 2007 and 2030 noise contours at 65 and 70 dBA Ldn are shown on exhibits submitted with the analysis. The Environmental Planning Section agrees with the projected noise levels assumed for 2030 and concludes that the proposed outdoor activity area will not be impacted by noise above the state standard because that area will be shielded by the proposed building. However, a portion of the proposed building fronting Queens Chapel Road will be impacted by interior noise levels above the standard of 45 dBA Ldn. The façade materials will consist of Hardie Plank, concrete masonry units, and brick. The Environmental Planning staff agrees that the proposed building materials will reduce the interior noise levels to 45 dBA Ldn or less and recommends that certification regarding the building design meeting the 45 dBA Ldn interior noise level be required prior to issuance of the building permit. \* In addition to this noise requirement, the Order of Remand also requires a separate noise analysis to demonstrate that all noise generated from activities associated with the operation of the proposed parking garage will not result in noise levels above 65 dBA Ldn at all property lines. The applicant has submitted the required noise study and met the requirement.

7. **At the time of review of the detailed site plan, architectural elevations shall be provided that indicate the proposed building materials, fenestration, doorway, and porch or stoop details to ensure that the proposed development is compatible with and reinforces the character of the established residential neighborhood. This is particularly important since the abutting residential neighborhood consists of single-family residences exhibiting a variety of architectural details and styles. Appropriate screening from the abutting single-family residential neighborhood shall also be reviewed at the time of detailed site plan to ensure compatibility and privacy.**

The Preliminary Plan of Subdivision, 4-04071, approved a high-density residential land use (a total of \*[494] 487 multifamily dwelling units on a 10.33-acre property) in accordance with the *Prince George's County Approved General Plan's* land use recommendation in the Developed Tier. Condition 9, which is a development cap condition, specifically indicates the high-rise apartment structure as a possible development form. The applicant proposes two mid-rise buildings with 244 multifamily dwelling units, which is within the approved development limit for this site. However, the mid-rise buildings pose a compatibility problem with the existing single-family neighborhood. Even though the mid-rise buildings can be finished in the same materials as the single-family residences, it will be difficult, almost by definition, to make the mid-rise

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buildings compatible with single-family residences in terms of massing, bulk, fenestration, and other design elements. Nor is it possible for a mid-rise building to really reinforce the character of the established single-family neighborhood. Staff concludes that the condition must be interpreted to require mitigation to the degree feasible of any negative impact of the proposed development on the existing neighborhood through detailed site plan review. The proposal has been revised to reduce its impact on the adjacent single-family detached houses. The building has been redesigned to incorporate more residential elements including a combination of hip and gable roof forms, tower elements and a combination of CMU, brick and brick-tone Hardie Plank siding.

~~\*[Additional vertical articulation of the proposed roof section would help improve visual compatibility between the proposed mid-rise multifamily buildings and the existing single-family detached houses.]~~ But once again, it is difficult to completely reconcile the inherent differences between the two building types.

~~\*[The appearance of the proposed parking garage remains a concern for the Urban Design Section.]~~ A revised elevation submitted by the applicant provides additional tower elements in the middle of the elevation and shows a green screen installed from the top part of the parking garage. ~~\*[No detail of the proposed green screen has been provided with this DSP, so it is not clear what it will look like or what plants are proposed to be grown on it. The garage will be constructed of concrete without any decoration. However, according to Preliminary Plan Condition 7, compatibility should be addressed first through design of the building and only then should appropriate screening be considered. In addition, it often takes a long time for a functional green screen to become established. If conditions are not optimal, plants may not thrive and will fail to cover the entire screen. Therefore, staff believes that a]~~ Additional tower elements ~~\*[should be]~~ have been applied ~~\*[along the entire western elevation of the garage]~~ on both ends of the garage elevations in order to give the garage more of a building-like appearance rather than that of a standard parking garage. A similar color scheme and brick ~~\*[or brick-like materials]~~ like those provided on the two residential buildings ~~\*[should be]~~ have been applied on the exterior of the garage. This revision will also minimize negative impacts such as glare and noise associated with the parking garage because the garage elevation will be more enclosed than that of a regular parking garage. ~~\*[Given that the proposed development is located in such close proximity to the existing single-family detached houses, the proposed green screen should also be retained, but may be altered in order to match the modules of the garage building elevation.]~~ The proposed green screen fits into the modules of the garage building elevation. A native vine known as Bignonia Capreolata has been selected. The portion of the pedestrian bridge that faces the existing single-family detached houses ~~\*[should]~~ has also been cladded with similar color-tone brick ~~\*[or brick-like materials]~~ as those on the two residential buildings. ~~\*[A condition has been approved by the Planning Board to require the applicant to provide a revised western elevation including the two residential buildings, the pedestrian bridge, and the~~

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parking garage to address the issues above, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board prior to certification of the DSP.] In addition, the Order of Remand has three conditions that specify how to redesign the western elevation including the design of the garage façade and identifying Ivy as the planting material for the green screen. The applicant has revised the elevation in accordance with the Remand Order, and additional green screen details along with planting materials have also been provided.

- 8. At the time of final plat approval, the applicant shall dedicate a right-of-way along MD 500 of 95.6 feet from the opposite right-of-way line, as shown on the submitted plan, or as further determined through the detailed site plan process.**

No further determination regarding right-of-way dedication has been made with this DSP. The dedication will be carried out pursuant to the preliminary plan of subdivision and the requirements of State Highway Access Manual Guidelines.

- 9. Total development within the subject property shall be limited to the existing 247-unit high-rise apartment structure, plus 244 proposed apartment/condominium residences within a high-rise structure, or other uses that generate no more than 73 AM and 98 PM peak-hour vehicle trips. Any development other than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

A review by the Transportation Planning Section (Masog to Zhang, March 5, 2009) indicates that the proposed development of 244 multifamily dwelling units is within the trip cap established by this condition.

10. **Landscape Manual:** The application is a residential revitalization DSP. Pursuant to Section 27-445.10 of the Zoning Ordinance, the DSP should comply with the requirements of the Landscape Manual to the extent possible. Technically, this application is subject to Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; and Section 4.7, Buffering Incompatible Uses, of the Landscape Manual. The following text provides a description of various circumstances where the landscaping requirements of the Landscape Manual are applicable and what has been provided by the DSP.
  - a. Section 4.1(g), for multifamily dwellings in any zone, requires a minimum of one major shade tree per 1,600 square feet or fraction of green area provided. The landscape plan shows a total of 26 shade trees along the internal driveway, which exceeds the requirement. ~~\*[However, the landscape plan does not show the total~~

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~~green area. A condition has been attached to the approval of this DSP to require the applicant to provide the total green area calculation on the plan and the Section 4.1 schedule prior to certification.]~~

- b. Section 4.3(c) requires a certain percentage of a parking lot to be interior planting area to be planted with at least one shade tree per each 300 square feet of interior landscaped area provided. Since most of the parking will be provided in a parking garage, only a limited number of surface parking spaces are provided along the internal driveway. ~~\*[However, the landscape plan should provide the total area of the parking lot and indicate if the internal planting area is needed. A condition has been attached to the approval of this DSP to require the applicant to provide this information prior to certification.]~~ A Section 4.3(c) schedule has been provided that shows a total of 15 shade trees is required and 25 shade trees have been provided.
- c. Section 4.7 requires a Type “B” bufferyard to be provided when a multifamily mid-rise or high-rise housing project is adjacent to a single-family subdivision. In this case, the subject site is adjacent to existing single-family houses along its western property line. In addition, pursuant to Note 1 of Section 4.7, when a greater building setback is required by the Zoning Ordinance to compensate for the height of the building, one additional foot of landscaped bufferyard shall be required for every three feet of required building setback in excess of the setbacks required in Section 4.7. The proposal contains two building complexes with various building heights of 54, 61, and 72 feet. The landscape plan uses a 61.5-foot building height in calculating the building setbacks. But the calculation should be based on the highest building, which is the garage portion with a building height of 72 feet. In accordance with Section 27-442(e), Footnote 4, for a multifamily building, for each two feet the building exceeds 36 feet in height, the side yard should be increased one foot. The building height used in the calculation is 36 feet in excess of 36 feet and therefore, an additional 18-foot setback should be added to the required yard. As a result, the minimum side yard setback for the proposed buildings is ~~\*[28]~~ 48 feet and the minimum landscape bufferyard is 32 feet. The landscape plan provides ~~\*an average 32~~ [48.8]-foot-wide bufferyard with the required plant units. An aluminum fence with brick piers has also been provided along the western boundary area that will divide the subject property from the adjoining single-family ~~\*detached~~ houses. ~~\*[However, some portions of the bufferyard have gaps among the planting materials. In addition, the evergreen trees used in this bufferyard are predominantly Leyland Cypress. More diverse evergreen trees in addition to small ornamental trees should be used due to the bufferyard’s close proximity to the existing single family detached houses in order to provide more visual~~

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~~interest. A condition has been included in this resolution by the Planning Board to require the applicant to fill the planting gaps within the bufferyard to provide a complete buffering effect with strong visual diversity along the western boundary areas to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.] The gaps previously identified in the bufferyard have been filled and additional plant species have also been provided as previously required by the Urban Design Section.~~

11. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the gross tract is in excess of 40,000 square feet in size, contains more than 10,000 square feet of existing woodland, and has an approved Type I Tree Conservation Plan, TCPI/61/03.

- a. A forest stand delineation (FSD) has been submitted for this proposal and was found to meet the requirement of detailed forest stand delineation in compliance with the requirements of the Woodland Conservation Ordinance. No further information or action is required as it relates to forest stand delineation requirements for this DSP.
- b. A Type II Tree Conservation Plan, TCPII/124/06, submitted with this DSP is in conformance with the requirements of the Woodland Conservation Ordinance except for several revisions. The woodland conservation threshold for the site is 2.07 acres and the total woodland conservation requirement based on the proposed clearing is 3.5 acres.

The Type II tree conservation plan is in conformance with the approved Type I Tree Conservation Plan, TCPI/61/03.

12. **Planning Board Analysis:** The subject application was referred to the concerned agencies and divisions. The Planning Board summarizes the referral comments as follows:

\*The Order of Remand identifies specific issues such as the architectural design of the western elevation, noise generated from the operation of the proposed parking garage, and the green screen, that require limited review. Only one referral request has been sent to the Environmental Planning Section and the Urban Design Section has reviewed building design related issues.

- a. The application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier. The application conforms to the multifamily

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residential land use recommendation in the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68*. However, the community planner noted that the development is not compatible with the adjacent single-family residential development of the Avondale neighborhood.

As discussed previously, the site has an approved preliminary plan of subdivision that specifically includes the option of high-rise multifamily development on the subject site. The applicant proposes two four-story buildings, which are consistent with the Zoning Ordinance and the approved preliminary plan of subdivision, and are within the development limit established in Preliminary Plan of Subdivision 4-04071. Since the mid-rise buildings are a totally different building type from the single-family detached houses and no transitional building type or land use is possible in this case, staff notes that compatibility between the two building types cannot be found to a degree that would normally be desired. However, the impact of the multifamily buildings on the adjacent neighborhood has been mitigated to the extent possible through this DSP review process.

- b. The Planning Board concluded that the DSP is in substantial conformance with the preliminary plan of subdivision.
- c. The Planning Board concluded that the proposed development is within the previously established trip cap for the site. Access and circulation within the area of the plan are determined to be acceptable.

The Planning Board further found that there are no master plan trails issues identified in the adopted and approved master plan for Planning Area 68 which impact the subject site. The existing sidewalk along Queens Chapel Road and the internal sidewalks shown on the site plan will be adequate to accommodate pedestrian movement.

\*d. The Permit Section, in a memorandum dated January 6, 2009, provided eleven comments and questions regarding the application's compliance with the Zoning Ordinance and the Landscape Manual.

- e. The Planning Board adopted the recommendations and approved DSP-05114 and TCPII/124/06 with eight environmental planning conditions.

\*Section 27-289 of the Zoning Ordinance requires that an application to amend a detailed site plan be filed with the Planning Board by the owner or authorized owner representative. A condition such as proposed condition 4 is not necessary.

\*In response to the Order of Remand, the subject application was referred a second time to the Environmental Planning Section. In a memorandum dated May 3, 2010 (Shoulers

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to Zhang), the Environmental Planning Section stated that after reviewing the revised noise study, the Environmental Planning Section agrees with the conclusion of the report. The noise level generated from normal operation of the proposed parking garage will not exceed 65 dBA Ldn at the subject property line and a noise mitigation plan is not required.

- f. The State Highway Administration (SHA), in a memorandum dated August 24, 2006, indicated that SHA has no objection to the approval of Detailed Site Plan DSP-05114. However, the applicant should be conditioned to provide adequate access improvements in the MD 500 right-of-way consistent to State Highway Access Manual guidelines.

Frontage improvement requirements for development fronting state roads are usually enforced at the time of issuance of the access permit by the State Highway Administration. As a result, no specific condition has been.

- g. The City of Hyattsville, in a memorandum dated November 29, 2006, provided four comments regarding mitigating impact on the neighboring single-family homes, quality of building materials, bufferyards, and additional recreational facilities.

Minimizing the impact on the adjacent single-family houses has been one of the major concerns of this review. The height of the proposed buildings has been reduced from the previously proposed high-rise to mid-rise buildings. The two buildings have heights of 54 and 61 feet, respectively. The parking garage has a height of 71 feet. A revised garage elevation shows a tower element repeated several times, and staff has recommended below that the tower element be employed several more times to completely mask the harsh concrete appearance of the unadorned garage. This treatment will help reduce the degree to which noise generated in the garage escapes to the outside and becomes an irritant to the neighbors. \*An average 32 [48.8]-foot-wide bufferyard has been proposed between the proposed buildings and the property line, which exceeds the minimum required bufferyard. A combination of shade trees, evergreens, ornamental trees, and shrubs has been proposed to be planted within the bufferyard. In addition, a decorative wrought-iron style fence with brick piers has also been proposed in the bufferyard. The proposed buildings will be finished with a combination of brick, split-face CMU, and cementitious siding. Due to the small size of the site, no outdoor recreational facilities such as a basketball court and tennis court have been provided. However, recreational facilities such as a swimming pool and outdoor play area as well as two courtyards with sitting areas and landscape structures have been provided. In addition, the project also designates a fitness room and a club room within the two new buildings.

- h. The Cities of Brentwood, North Brentwood, and Mount Rainier had not responded to the referral request at time the staff report was written.

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- i. The Department of Housing and Community Development of Prince George's County had not responded to the referral request at the time the staff report was written.
13. \*Additional findings in response to Items A, B, C, D, E, F and G of the Order of Remand are provided as follows:

A. The applicant shall prepare an analysis conducted by an acoustical engineer or other professional that demonstrates that all noise generated from activities associated with operation of the parking structure, including noise from idling motor vehicles and car alarms, will not result in noise levels above 65 dBA Ldn at all property lines. If that standard cannot be met with the current design, a noise mitigation plan shall be prepared to demonstrate compliance, and the mitigation plan shall be made part of the record for this DSP.

A noise study (by Wyle, dated March 22, 2010) for the proposed parking garage has been provided in response to the Remand Order. The noise study selects an existing garage at an existing community known as Metropolitan of Fairfax to perform the analysis. The report concludes that the noise levels of the proposed garage will not exceed 65 dBA Ldn at the property line of the subject site. The Environmental Planning Section (Shoulars to Zhang, May 3, 2010) reviewed the noise study and agreed with the conclusion. As a result, a noise mitigation plan is not required.

B. Rendering of elevations, especially on the western side of the building (the side facing the single family homes in the Avondale neighborhood) should incorporate tower elements on the corners of the main building. A substitute should be found for the dormer, to break the roof line. The towers on the corners of the building may also serve to alter or break up the roof line.

A rendered perspective of the residential building viewed from the existing single-family detached houses has been discussed with the Urban Design Section as a prototype for architectural design elements to be provided in response to the Remand Order for the revised western elevation. The perspective shows prominent tower elements on both the garage building and the residential buildings. A revised western elevation has been provided that incorporates additional towers into the design. The revised elevation shows towers on the corners of the two residential buildings and the parking garage. The roof line of the southern residential building has been broken into three separate roof sections, but does not employ previously proposed faux dormers. The towers on the revised elevation help to break the previously proposed large roof into visually smaller parts. The revised DSP fulfills this requirement.

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- C. The garage must include tower formation, at the corner. The overall structure of the garage should reflect the preliminary designs that have been discussed with Urban Design staff, including a staggered height at the top of the garage structure.

The garage design is part of the western elevation revision. As discussed previously, a tower has been added to the corner of the garage which is adjacent to the southern residential building that reflects the image of the preliminary design at the early stage of community engagement of this project. The treatment on the garage elevation is acceptable.

- D. The west and south sides of the building must be 75% brick (and not a material that is comparable to brick), and the higher stories of the building should contain a higher quantity of brick than the DSP plans presently show.

Additional brick has been added to both the western and southern elevations to meet the 75 percent requirement.

- E. Ivy must be planted at the top and bottom of the green screen covering the garage. The Planning Board resolution does not show a definitive plan for the composition of the green screen, that feature must be described, in an amendment to the DSP.

A green screen detail in the form of treillage has been provided on the detail sheet of the landscape plan. Bignonia instead of Ivy has been shown to be planted at both the top and bottom of the green screen. According to the Nature Resources Conservation Service, United States Department of Agriculture, *Bignonia Capreolata* is a native species. However, common Ivy (*Hedera helix*), of which synonyms include *Hedera acuta*, *Hedera arborea* Hort. (“tree ivy”, propagations of adult crown material), *Hedera baccifera*, and *Hedera grandifolia*, and English Ivy, are native to most of Europe and are considered an invasive species in Maryland. As such, the Urban Design staff agrees with the applicant’s plant selection for the proposed green screen.

- F. A definitive plan for a pilot program for Farecards for the Metro System must be included, in an amendment to the DSP.

The applicant has offered to implement a pilot Metro fare subsidy program for future residents of this project to encourage the use of public transportation. The program will provide each occupied unit with a monthly metro fare card at 50 percent of the face value. To be eligible for this program, a tenant must be in good rental standing and current on any payments related to the unit. The program will commence upon the project achieving 50 percent occupancy and will operate for an initial term of two years. After that, an annual participation rate must be at least 10 percent of the annual occupancy of the project in order to continue the Metro Fare program.

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- G.     The Planning Board should allow all interested persons who have not signed in as persons of record to do so, before the case is sent back to the District Council.

At the time this report was written, no citizen or citizens association has contacted the review staff regarding this application. The record of this DSP will remain open until the public hearing on this case, which has been scheduled on June 17, 2010. In addition, the site was posted with a public hearing sign on May 18, 2010, and the sign will be on the site for 30 days prior to the hearing.

- \*14.     As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/124/06) and further APPROVED Detailed Site Plan DSP-05114 for the above-described land, subject to the following conditions:

- \*[1. — ~~Prior to certificate approval of this detailed site plan, the applicant shall:~~

[a. — ~~Revise the DSP and TCPII to show the 65 and 70 dBA Ldn unmitigated ground level contours for 2030, in accordance with the noise impact analysis prepared by Wyle Laboratories dated April 7, 2009.~~

[b. — ~~Revise the landscape plan as follows:~~

~~[(1) — Provide the Section 4.1 schedule and the related information on the landscape plan.~~

~~[(2) — Provide the Section 4.3(c) schedule and the related information on the landscape plan.~~

~~[(3) — Provide additional planting to fill gaps in the landscape bufferyard along the western boundary areas with additional plant materials to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.~~

[c. — ~~Revise the site plan to remove the impact on the expanded buffer and provide a limit of disturbance that is the same as that shown on the TCPII.~~

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~~{d. Provide site plan notes as follows:~~

~~{(1) All reforestation/afforestation areas, and the associated fencing along the outer edge of all those areas, shall be installed prior to the issuance of the first building permit. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken. This note shall be added to all of the sheets of the TCPII that contain reforestation.~~

~~{(2) The building façade facing Queens Chapel Road shall be constructed in conformance with the noise study dated April 7, 2009. The final design of the proposed building shall show exterior façades that use Hardie Plank with resilient channels, and CMU and/or brick veneer on the façade facing Queens Chapel Road. Unmodified Hardie Plank shall not be used. The plan shall show acoustical windows with a sound transmission class of 28 or higher. This note shall also be provided on the building elevation sheets.~~

~~{e. Provide a photometric plan of the proposed lighting within a foot candle reading of zero (0) along the western property line.~~

~~{f. Provide a revised western elevation including the parking garage and pedestrian bridge on which the tower elements are repeated along the entire elevation of the garage, and a color scheme and brick or brick-like materials applied to the garage and bridge which are similar to those provided on the two residential buildings, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.~~

~~{g. Provide construction and planting details of the proposed green screen to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.}~~

\*[2] 1. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer, and woodland preservation and reforestation areas, except for areas of approved variation, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

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\*[3] 2. At the time of building permit, the application shall contain a certification, to be submitted to the Maryland-National Capital Park and Planning Commission (M-NCPPC), prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

~~\*[This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Clark, seconded by Commissioner Squire, with Commissioners Clark, Squire, Cavitt, Vaughns voting in favor of the motion, with Commissioner Parker temporarily absent at its regular meeting held on Thursday, May 21, 2009, in Upper Marlboro, Maryland.]~~

~~\*[Adopted by the Prince George's County Planning Board this 9<sup>th</sup> day of July 2009.]~~

\*This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Vaughns, seconded by Commissioner Clark, with Commissioners Vaughns, Clark, Cavitt, Squire, and Parker voting in favor of the motion at its regular meeting held on Thursday, June 17, 2010, in Upper Marlboro, Maryland.

\*Adopted by the Prince George's County Planning Board this 8<sup>th</sup> day of July 2010.

Patricia Colihan Barney  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

PCB:FJG:HZ:arj

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